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Highway Patrol and Officer Sergio Flores
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10 IN THE UNITED STATES DISTRICT COURT
11 FOR THE SOUTHERN DISTRICT OF CALIFORNIA
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14 **JACOB GREGOIRE,**

15 Plaintiff,

16 v.
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18 **CALIFORNIA HIGHWAY**
PATROL, an agency of the State of
19 **California; SERGIO FLORES, and**
20 **DOES 1 to 20,**

21 Defendants.
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CASE NO. : **'14CV1749 GPC DHB**

**NOTICE OF REMOVAL OF
ACTION UNDER 28 U.S.C. §
1441(a) [FEDERAL QUESTION]**

1 To the Clerk of the Court:

2 Please take notice that Defendants California Highway Patrol and Sergio
3 Flores remove to this Court the state court action described in this notice.

4 1. The state court action is *Gregoire v. California Highway Patrol, et al.*,
5 filed as Case Number 37-2014-00018861 in the Superior Court of California in and
6 for the County of San Diego.

7 2. A true and correct copy of a court docket in the state court action as it
8 existed on July 21, 2014, is attached as Exhibit A.

9 3. On June 12, 2014, Plaintiff Jacob Gregoire filed a Complaint in the state
10 court action naming the California Highway Patrol and Sergio Flores as defendants.

11 4. On or about June 26, 2014, Plaintiff served Defendants with copies of the
12 summons and complaint in the state court action.

13 5. On or about July 22, 2014, an answer to complaint was filed in the state
14 court action.

15 6. True and correct copies of all documents served on and by Defendants,
16 including the complaint and the answer to the complaint, are attached as Exhibit B.

17 7. This is a civil action of which this Court has original jurisdiction under
18 28 U.S.C. § 1331, and is one which may be removed to this Court pursuant to the
19 provisions of 28 U.S.C. § 1441(a) because it arises under 42 U.S.C. § 1983 and the
20 Fourth and Fourteenth Amendments to the United States Constitution. (See Exhibit
21 B).

22 8. Defendants California Highway Patrol and Sergio Flores are entitled to
23 remove the state court action to this Court pursuant to 28 U.S.C. sections 1441(a)
24 and 1446(b)(2)(C).

25 9. The complaint indicates Plaintiff is also asserting causes against
26 unnamed "DOE" defendants. (See Ex. B). The Superior Court docket does not
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1 reflect the filing of any amended pleadings and, as of the date of this Notice, the
2 undersigned counsel is unaware of any other named parties in the state-court action.

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4 Dated: July 25, 2014

Respectfully Submitted,

5 KAMALA D. HARRIS
6 Attorney General of California
7 RICHARD F. WOLFE
8 Supervising Deputy Attorney General

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